

BOARD ACTION
December 21, 2004

APPROVED	After adding the item to the agenda, the Board approved to change the starting time of the Tuesday, January 4, 2005, Lake County Board of County Commissioners' meeting from 9:00 a.m. to 10:00 a.m. The County Attorney noted that advertisements for the Public Hearings scheduled for that day indicate that the hearings will be held at 9:00 a.m. or soon thereafter. This change in starting time is due to the 9:00 a.m. investiture of the new Lake County Sheriff on that day.	
APPROVED	TAB 1 Minutes of October 26, 2004 (Regular Meeting) as presented.	WATKINS
APPROVED	TAB 2.1 Request for approval of Contractor Bonds - New, Cancellations, and Reinstatements: <u>New</u> 4814-05 Scott E Van Nuys/Central Florida Plumbing LLC 6076-05 Larry K. Dobson/Dobson's Wood & Water, Inc. 6224-05 Larry Blake dba Larry Blake Contractors 6225-05 Earl Andrews & Above & Beyond Lawn Sprinkler, Inc. 6226-05 Andrew P. Lyn dba Drew's Irrigation, Inc. <u>Cancellations</u> 3036-04 Donald R. Hardee dba Machine Control Repair, LLC (Electrical) 5095-05 James Williams dba Williams Sales & Service, Inc. 5939-02 Robert W. Riley, Jr. (Residential Contractor) 5974-02 Barry's Lawn Maintenance, LLC 6005-04 David H. Stewart/Power Link Solutions, Inc. (Electrical) 6075-03 Lee Ashley dba Certified Landscape Contractors, Inc. 6133-04 Bradley N. Plough dba A B P Electric 6163-04 Lee Ashley dba Girard Environmental Services, Inc.	WATKINS
APPROVED	TAB 2.1 (Continued) Request for approval of Contractor Bonds - New, Cancellations, and Reinstatements: <u>Reinstatements</u> 1550-02 James E. Moulton 6090-05 Chris Herod dba Herod Pool Contracting, Inc. 6097-05 JBD Builders, Inc.	WATKINS

ACKNOWLEDGED RECEIPT	<p>TAB 2.2 Request to acknowledge receipt of list of checks or warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.</p>	WATKINS
ACKNOWLEDGED RECEIPT	<p>TAB 2.3 Request to acknowledge receipt of Consummating Order by the Florida Public Service Commission. In re: Application for transfer of majority organizational control of Brendenwood Water System, Inc., holder of Certificate No. 339-W in Lake County, from Paul E. Day to Deborah J. Miller, Docket No. 040276-WU, Order No. PSC-04-1158-CO-WU, Issued: November 22, 2004. By The Commission: By Order No. PSC-04-1054-PAA-WU, issued October 27, 2004, the Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order, in regard to the above mentioned docket. It is, therefore, ordered by the Florida Public Service Commission that Order No. PSC-04-1054-PAA-WU has become effective and final. It is further ordered that this docket shall be closed.</p>	WATKINS
APPROVED	<p>TAB 2.4 Request for approval of the following five Satisfactions and Releases of Fine:</p> <p>In consideration of the payment of the sum of \$650.00, Judgment-Creditor, Lake County, fully releases and discharges Judgment-Debtor, The Pantry, Inc., from any claims, demands, causes of action and judgments arising to the Order of Fine dated November 1, 2004.</p> <p>In consideration of the payment of the sum of \$250.00, Judgment-Creditor, Lake County, fully releases and discharges Judgment-Debtor, Mehernosh Oil, Inc., from any claims, demands, causes of action and judgments arising to the Order of Fine dated November 1, 2004.</p> <p>In consideration of the payment of the sum of \$550.00, Judgment-Creditor, Lake County, fully releases and discharges Judgment-Debtor, Island Food Stores, Ltd., from any claims, demands, causes of action and judgments arising to the Order of Fine dated November 1, 2004.</p> <p>In consideration of the payment of the sum of \$800.00, Judgment-Creditor, Lake County, fully releases and discharges Judgment-Debtor, Island Food Stores, Ltd., from any claims, demands, causes of action and judgments arising to the Order of Fine dated November 1, 2004.</p> <p>In consideration of the payment of the sum of \$650.00, Judgment-</p>	WATKINS

	Creditor, Lake County, fully releases and discharges Judgment-Debtor, Island Food Stores, Ltd., from any claims, demands, causes of action and judgments arising to the Order of Fine dated November 1, 2004.	
ACKNOWLEDGED RECEIPT	TAB 2.5 Request to acknowledge receipt of Change of Name Notification: CITE: The Lighthouse for Central Florida, Inc. has officially changed its name to Lighthouse Central Florida, Inc. The effective date of the name change was September 1, 2004. The supporting documentation for the legal name change of this organization is attached to this notice. All other information remains the same, including Federal tax identification number, sales tax exemption number and 501 (c)(3) exemption. All correspondence, invoices, inquiries and checks should be directed to: Lighthouse Central Florida, Inc., 215 E. New Hampshire Street, Orlando, Florida 32804.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.6 Request to acknowledge receipt of Report No. 2005-066, prepared November 2004, a Financial Audit of Lake-Sumter Community College for the fiscal year ended June 30, 2004. The audit of the financial statements was conducted pursuant to the provisions of Section 11.45, Florida Statutes, and applicable standards contained in <i>Government Auditing Standards</i> issued by the Comptroller General of the United States.	WATKINS
ACKNOWLEDGED RECEIPT	TAB 2.7 Request to acknowledge receipt of Fruitland Park Ordinance 2004-023 (Mahan annexation) with attached Exhibits A & B.	WATKINS
APPROVED	TAB 3.1 Request from Budget -Budget transfer – General Fund, Department of Environmental Services, Water Resource Management Division, in the amount of \$5,000.00 is requested. Transfer \$5,000.00 from Reserve for Operations to Improvements Other Than Buildings. Funds are needed to install a pilot rainwater harvesting system to capture rainwater from the Environmental Services Administration Building roof for on-site irrigation. On June 23, 2004, the Lake County Water Authority voted to provide \$5,000.00 for the implementation of this project. The total cost of the project was approved in Fiscal Year 2004, but has not been completed. Funds are available in Reserve for Operations.	FRAZIER
APPROVED	TAB 3.2 Request from Budget -Budget transfer – Renewal Sales Tax Capital Projects Fund, Department of Public Works, in the amount of \$335.00 is requested. Transfer \$335.00 from Special Reserve to Machinery & Equipment. The Sheriff's Office has submitted a purchase request for one 2005 Chevrolet service van for \$27,721.00. Twenty-one vehicles have been purchased in Fiscal Year 2005, leaving a balance of \$27,386.00 in the Renewal Sales Tax Capital Projects Fund for Sheriff's vehicles and equipment.	FRAZIER

	Additional funds of \$335.00 are needed to purchase the service van. Funds are available in Special Reserve.	
APPROVED	<p>TAB 3.3</p> <p>Request from Budget for approval of Resolution 2004-202 to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2004-2005 in the amount of \$5,000.00 deposited into Contributions from Other Agencies and provide appropriations for the disbursement for Improvements Other Than Buildings for the Rainwater Harvesting Pilot Program. On June 23, 2004, the Lake County Water Authority voted to provide \$5,000.00 for the implementation of this project. The total cost of the installation and upgrades is approximately \$10,000.00. This project was approved in Fiscal Year 2004, but has not been completed.</p>	FRAZIER
APPROVED	<p>TAB 3.4</p> <p>Request from Budget for approval of Resolution 2004-203 to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2004-2005 in the amount of \$35,000.00 from Volunteer Florida Foundation, Inc. deposited into Hurricane Relief and provide appropriations for the disbursement for Hurricane Relief.</p>	FRAZIER
<p>PULLED</p> <p>(This is a contract item and does not require Board approval.)</p>	<p>TAB 3.5</p> <p>Request from Budget for approval of request from Community Services for payment for Health Care Responsibility Act (indigent hospital services) to Orlando Regional Healthcare. The request exceeds the County Manager's approval limit of \$25,000.00. Total payment is \$48,734.24.</p>	FRAZIER
APPROVED	<p>TAB 4</p> <p>Request from Community Services for approval and authorization for the Chairman to sign the Fiscal Year 2004-2005 Community Development Block Grant (CDBG) Partnership Agreement with Mid-Florida Community Services, Inc., in an amount not to exceed \$10,000.00 to be used to deliver weekend meals to homebound senior citizens; and to direct the Community Services Department to execute the agreement and oversee completion of the project covered in the Scope of Services.</p>	SMITH
APPROVED	<p>TAB 5</p> <p>Request from Community Services for approval and authorization for the Chairman to sign the Fiscal Year 2004-2005 Community Development Block Grant (CDBG) Partnership Agreement with Mid-Florida Community Services, Inc., in an amount not to exceed \$20,000.00 to be used to transport senior citizens to congregate meal sites; and to direct the Community Services Department to execute the agreement and oversee completion of the project covered in the Scope of Services.</p>	SMITH
APPROVED	<p>TAB 6</p> <p>Request from Procurement Services for approval to award the contract for the armored car services in accordance with RFP</p>	HAYSLETTE

	Number 04-072 to Loomis, Fargo & Co.	
APPROVED	TAB 7 Request from Public Works for approval to accept one Statutory Quitclaim Deed, four Statutory Warranty Deeds, and two Temporary Non-Exclusive Construction Easement Deed and Perpetual Grading Easements (see minutes for detailed list).	STIVENDER
APPROVED	TAB 8 Request from Public Works for approval and authorization to release a Performance Bond in the amount of \$6,600.00; accept a Maintenance Bond in the amount of \$12,148.25; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Amantha Musselwhite, as Trustee; and execute Resolution 2004-204 accepting the following road into the County Road Maintenance System: Can Do Lane (County Road Number 3357) all relating to Musselwhite Farms. Musselwhite Farms consists of 12 lots – Commission District 3.	STIVENDER
APPROVED	TAB 9 Request from Public Works for approval of a second extension Agreement, until August 1, 2005 of the Regional Park Grant for the National Training Center and authorization for the Chairman and County Attorney to execute the Agreement upon submittal.	STIVENDER
APPROVED	TAB 10 Request from Public Works for approval and authorization to award Number 1346 Hooks Street Phase II and Number 1350 Citrus Tower Boulevard Construction Project Number 2004-13, Bid Number 04-148, to Steven Counts, Inc., and to encumber and expend funds in the amount of \$2,319,313.04 from Road Impact Fee Funds. Benefit District 5 – Commission District 2.	STIVENDER
APPROVED	TAB 11 Request from Public Works for approval and authorization to release a Letter of Credit of \$298,892.00 posted for Performance; accept a Letter of Credit for Maintenance in the amount of \$24,522.00; accept a Developer's Agreement for Maintenance of Improvements between Lake County and Ladd Development, Inc.; and execute Resolution 2004-205 accepting the following roads into the County Road Maintenance System: Vista Pines Loop (County Road Number 0833) and Mercado Court (County Road Number 0833A), all relating to Vista Pines. Vista Pines consists of 50 lots – Commission District 2.	STIVENDER
APPROVED	TAB 12 Request from Public Works for approval and authorization to advertise for bids for County Road 46A Widening & Resurfacing Project Number 2004-09 at an estimated cost of \$2,520,000.00 from the Infrastructure Sales Tax. Commission District 4.	STIVENDER
APPROVED	TAB 13 Request from Public Works for approval and authorization to	STIVENDER

	advertise for bids for Number 2713 Bridges Road Widening & Resurfacing Project Number 2005-01 at an estimated cost of \$655,000.00 from the Road Impact Fee Fund. Commission District 3. Cost split 50/50 – Benefit Districts 4 and 6.	
APPROVED	TAB 14 Request from Public Works for approval and authorization to advertise for bids for Number 3168 Duda Road Intersection Improvements Project Number 2005-04 at an estimated cost of \$330,000.00 from the Road Impact Fee Fund. Commission District 3 – Benefit District 2.	STIVENDER
APPROVED	TAB 15 Request from Public Works for approval and signature of Resolution 2004-206 to advertise Public Hearing for Vacation Petition Number 1041, by Harbor Hills Development LP, Representative Steven J. Richey, P. A., to vacate a utility and drainage easement, in the Plat of Harbor Hills, Unit 1, located in Section 13, Township 18, Range 24, in the Lady Lake area – Commission District 5.	STIVENDER
APPROVED	ADDENDUM NO. 1, I. A. 1. Request from Information Technology for approval to expand the previously approved Document Management System into the Department of Environmental Services (DES) and other remote locations.	EARLS
APPROVED	ADDENDUM NO. 1, I. A. 2. Request from Information Technology for approval to enter into a Lease Agreement with the City of Leesburg Utilities for a secure fiber optic connection between the Department of Environmental Services Administration Building located at the County landfill and the County Administration Building located in downtown Tavares.	EARLS
APPROVED	ADDENDUM NO. 1, I. B. 1. Request from Program Analysis and Contract Management for approval of the NET Contract with the Florida Commission for the Transportation Disadvantaged to provide transportation for the Medicaid Non-Emergency Transportation Program.	
APPROVED	TAB 16 PRESENTATION Approval and Presentation of Resolution 2004-194 to Florida's Natural for the use of their facilities during Hurricane Frances and Hurricane Jeanne.	
APPROVED	TAB 17 PUBLIC HEARING Ordinance 2004-87 amending Chapter 22, Lake County Code, relating to Educational Impact Fees. The Ordinance shall take effect on February 1, 2005, and the fees will be: \$7,055 - single-family detached house, per dwelling unit \$4,260 - multi-family dwelling unit, per dwelling unit	FRAZIER

	<p>\$2,497 - mobile home, per dwelling unit (Note: The motion, but not the Ordinance, will include language to encourage the Superintendent and the School Board to work with the County Commission in developing an oversight committee.)</p>	
APPROVED	<p>TAB 18 PUBLIC HEARING Ordinance 2004-88 amending Section 14.12.05 of the Land Development Regulations, relating to Final Submittal (Lot Line Deviation/Adjustment)</p>	WELSTEAD
APPROVED	<p>TAB 19 PUBLIC HEARING Approval, Direction, and Transmittal of the Federal Fiscal Year 2004 Consolidated Annual Performance Report relating to Community Development Block Grants.</p>	SMITH
APPROVED	<p>TAB 20 PUBLIC HEARING: ROAD VACATIONS Approval of Petition Number 1025 and Resolution 2004-207 for request by Burgess, Trustee/Moukhtara, Representative Steven J. Richey, P.A., to vacate a portion of right of way and cease maintenance on a portion of a County maintained roadway known as Myrtle Lake Avenue (Number 5405), located in Section 8, Township 19 South, Range 24 East, in the Fruitland Park area – Commission District 1.</p>	STIVENDER
APPROVED	<p>TAB 21 PUBLIC HEARING: ROAD VACATIONS Approval of Petition Number 1039 and Resolution 2004-208 by Eric H. Coe, Representative Bowen & Campione, P.A., to vacate utility easements , in the Plat of Park at Wolf Branch Oaks Phase 4, located in Section 24, Township 16 South, Range 27 East, in the Sorrento area - Commission District 4.</p>	STIVENDER
APPROVED	<p>TAB 22 Request from Public Works for approval to accept right of way deeds (see minutes for list) in conjunction with the Steve's Road Project and authorize reimbursement to the School Board for construction costs for a segment of Steve's Road by the East Ridge High School, as previously approved by the Board.</p> <p>Commissioners Hill and Pool presented a check in the amount of \$288,184.00 to School Superintendent Anna Cowin and School Board Chairman Scott Strong.</p>	STIVENDER
APPROVED	<p>TAB 23 Request from Public Works for approval of Resolution 2004-209 and the Local Agency Program (LAP) Agreement with the Florida Department of Transportation for Lakeshore Drive paved shoulders project FPN 413312-1-58-01 from County Road 561 to the Lake Susan Bridge.</p>	STIVENDER

FOR THE RECORD	County Attorney Sandy Minkoff noted for the record that closed session transcripts for the Covanta litigation case will be included with the backup material for today's meeting (December 21, 2004) for the public record. The final closing of the Covanta litigation occurred December 7, 2004.	MINKOFF
FOR YOUR INFORMATION	<p>Commr. Pool discussed south Lake County transportation issues which include the need for other road corridors. He stated that there are many willing participants along a corridor outside Minneola along the Grassy Lake corridor which would connect from the U.S. Highway 27 area, going east to the Turnpike. He wanted the Board to be aware of the concerns and partnerships in that location. He stated this is an opportunity for approval by the Board to try to be ahead of the curve and place some roads in place today before the need is there tomorrow. He opined that the City of Minneola is asking for the opportunity to proceed with some of these road corridors and wanting to direct staff to have this on a speedy timetable. He stated that the School Board wants to build an elementary school, a middle school and a high school in the Grassy Lake Area and infrastructure improvements need to be prepared for and planned for now. This issue should be presented to the Lake-Sumter Metropolitan Planning Organization (LSMPO).</p> <p>Commr. Stivender pointed out that most of these roads are already in the road program to do and one section might have to be done by the developer.</p> <p>County Manager Bill Neron stated that a presentation will be made at the Board's January 4, 2005, meeting.</p>	POOL
APPROVED	<p>TAB 24 Proclamation 2004-210 proclaiming that Monday, January 17, 2005, shall be observed as a day to celebrate the life and dreams of Martin Luther King, Jr.</p> <p>Commr. Stivender reminded the Board to attend a 7:30 a.m. breakfast Friday, January 14, 2005, when she will present the proclamation.</p> <p>Commr. Hanson, a lifetime member of the NAACP (National Association for the Advancement of Colored People), challenged each of the other Board members to become lifetime members of that organization.</p>	STIVENDER
FOR YOUR INFORMATION	Commr. Cadwell stated that a community meeting was held regarding the park in the Umatilla area. Citizens' recommendations were taken into consideration regarding two possible sites. There will be a display at the Umatilla Library for a couple of weeks and citizens can review the display and leave comment cards. A presentation will be brought to the Board after that time.	CADWELL
FOR YOUR	Regarding acquiring additional land for PEAR Park, County	NERON

INFORMATION	<p>Manager Bill Neron reported that the environmental testing and subsequent work that may be required is still an ongoing process. The closing date for the purchase of the additional 25 acres is scheduled for the end of January 2005. He expects to bring a report to the Board during the first part of January.</p>	
FOR YOUR INFORMATION	<p>Regarding wind-driven rain throughout the State during the recent hurricanes, Commr. Pool asked if there are techniques or issues that will create a building permit that will ensure homes are sealed. He stated that if it takes a technical amendment to strengthen or put more teeth in the County's ordinance which would ensure that people would not have wind-driven rain come through their homes then that should be done. He suggested following the City of Winter Garden's lead and doing something very similar to their ordinance.</p> <p>Mr. Dale Greiner, Director of Building Services, stated that the Florida Building Commission (Commission), in early December, received testimony from Orange County (Lake County contributed to a survey), from other people in the industry and the Florida Homebuilders Association. It was the conclusion of the Commission that there is not enough information to make any substantive changes to the code at this time. Forensic-type studies and investigations are being done. Mr. Greiner opined that the City of Winter Garden had a knee-jerk reaction. He suggested that a technical amendment to the code should not be done without enough information to base it on. He remarked that the exact, primary cause of the wind-driven rain damage is still not known and experts will present information to the Commission. He estimated that information will be coming from the Commission in February or March 2005.</p>	POOL
	PUBLIC HEARINGS - REZONINGS - AGENDA NO. 1-13:	
APPROVED	<p>Rezoning Agenda No. 1 Rezoning Case PH#69-04-3 Richard H. Langley Tracking #82-04-PUD/AMD (Arrowtree PUD) Ordinance 2004-89</p>	
APPROVED	<p>Rezoning Agenda No. 2 Rezoning Case LPA#04/5/2-2 Hart Family, LLC; Steven J. Richey, P.A. Tracking #4-04-LPA Ordinance 2004-90</p>	
APPROVED	<p>Rezoning Agenda No. 3 Rezoning Case PH#73-04-2 Ladd Development, Inc.; Steven J. Richey, P.A. Tracking #78-04-Z Ordinance 2004-91 (Mr. Richey agreed to a developer's agreement regarding a buffer</p>	

	between the two neighborhoods.)	
POSTPONED TO JANUARY 25, 2005	Rezoning Agenda No. 4 Rezoning Case PH#78-04-2 Ladd Development, Inc.; Jon VanderLey/County Line Construction Tracking #86-04-CFD	
APPROVED	Rezoning Agenda No. 5 Rezoning Case CUP#04/12/1-5 Robert and Nancy Gruner; Steven J. Richey, P.A. Tracking #83-04-CUP/AMD Ordinance 2004-92	
APPROVED	Rezoning Agenda No. 6 Rezoning Case PH#72-04-2 Robert Thompson, et al; Steven J. Richey, P.A. Tracking #77-04-Z Ordinance 2004-93	
APPROVED	Rezoning Agenda No. 7 Rezoning Case PH#74-04-2 Orlando Tennis World Development Co., Inc. Steven J. Richey, P.A. Tracking #79-04-PUD Ordinance 2004-94	
APPROVED	Rezoning Agenda No. 8 Rezoning Case PH#71-04-5 Tri-County Baptist Church, Inc.; Steven J. Richey, P.A. Tracking #80-04-CFD/AMD Ordinance 2004-95	
DENIED	Rezoning Agenda No. 9 Rezoning Case PH#70-04-2 Barbara G. Harmon; Calvary Church, Inc. dba Fusion Bruce Duncan, P.A. Tracking #81-04-CFD	
APPROVED	Rezoning Agenda No. 10 Rezoning Case PH#75-04-3 Mark R. Whitman; Steven J. Richey, P.A. Tracking #76-04-Z Ordinance 2004-96 (Note: A to AR)	
APPROVED	Rezoning Agenda No. 11 Rezoning Case PH#77-04-3 Independent Order of Foresters; Kenneth Mazik and Donna Brown; Greg Beliveau, LPG; Steven J. Richey, P.A. Tracking #84-04-CFD Ordinance 2004-97 (Conditions: size of homes will be 1,600 square foot minimum; that	

	the first right of refusal clause is included; that F.S. 393 be met.)	
APPROVED	Rezoning Agenda No. 12 Rezoning Case LPA#03/8/3-3 2001-27 L.L.C. and George Corbett Green Consulting Group, Inc.; Steven J. Richey, P.A. Tracking #75-03-LPA Ordinance 2004-98	
APPROVED	Rezoning Agenda No. 13 Rezoning Case LPA#04/5/5-3 Edward R. Vrablik; Banyan Construction & Development Green Consulting Group, Inc.; Steven J. Richey, P.A. Tracking #5-04-LPA Ordinance 2004-99	